

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

EIGHTEENTH LEGISLATIVE DAY
THURSDAY, JANUARY 29, 2015

House of Representatives

The House convened at 11:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Kenya Heiner, Page.

3RD ORDER

Approval of Journal

January 29, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventeenth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

4TH ORDER

Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, that pursuant to the provisions of Section 59-917, Idaho Code, ILANA RUBEL, State Representative, District 18, Seat A, Ada County, State of Idaho, has nominated, BROOKE GREEN, of 285 W. Carter St., Boise, ID 83706, to perform the duties of this office temporarily as Acting State Representative, District 18, Seat A.

NOW, THEREFORE, I, C.L. "BUTCH" OTTER, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Brooke Green of Boise, Idaho, to the office of Acting State Representative, District 18, Seat A, for a term commencing January 29, 2015, and continuing until January 31, 2015.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at

the Capitol in Boise on this 28th day of January, in the year of our Lord two thousand and fifteen, and of the Independence of the United States of America, the two hundred and thirty-ninth year.

/s/ C.L. "BUTCH" OTTER
Governor

/s/ LAWRENCE DENNEY
Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Brooke Green.

January 28, 2015

Mr. Speaker:

I transmit herewith [S 1002](#) and [S 1003](#) which have passed the Senate.

NOVAK, Secretary

[S 1002](#) and [S 1003](#) were filed for first reading.

5TH ORDER

Report of Standing Committees

January 29, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 47](#), [H 48](#), [H 49](#), [H 50](#), and [H 51](#).

WILLS, Chairman

[H 47](#), [H 48](#), [H 49](#), [H 50](#), and [H 51](#) were referred to the Resources and Conservation Committee.

January 28, 2015

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 20](#), [H 21](#), and [H 22](#) and recommend that they do pass.

DEMORDAUNT, Chairman

[H 20](#), [H 21](#), and [H 22](#) were filed for second reading.

January 28, 2015

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 16](#) and recommend that it do pass.

PALMER, Chairman

[H 16](#) was filed for second reading.

January 29, 2015

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 35](#) and recommend that it do pass.

COLLINS, Chairman

[H 35](#) was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

8TH ORDER**Introduction, First Reading, and Reference
of Bills and Joint Resolutions****HOUSE BILL NO. 52****BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT**

RELATING TO THE YOUTH CHALLENGE PROGRAM; REPEALING SECTION 2, CHAPTER 322, LAWS OF 2011, AS AMENDED BY SECTION 2, CHAPTER 234, LAWS OF 2012, TO REMOVE A SUNSET PROVISION; AND REPEALING SECTION 2, CHAPTER 234, LAWS OF 2012, TO REMOVE A SUNSET PROVISION.

HOUSE BILL NO. 53**BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT**

RELATING TO THE CODE OF MILITARY JUSTICE; REPEALING CHAPTER 11, TITLE 46, IDAHO CODE, RELATING TO THE CODE OF MILITARY JUSTICE; AMENDING TITLE 46, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 11, TITLE 46, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO ENACT AND SPECIFY PARTICULAR PROVISIONS OF THE MODEL STATE CODE OF MILITARY JUSTICE, TO PROVIDE FOR ARREST, TO PROVIDE FOR REGULATORY AUTHORITY, TO PROVIDE FOR IMMUNITY AND TO PROVIDE FOR SEVERABILITY.

HOUSE BILL NO. 54**BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT**

RELATING TO GASEOUS SPECIAL FUELS; AMENDING SECTION 63-2402, IDAHO CODE, TO REMOVE REFERENCE TO SPECIAL FUELS AND GASEOUS SPECIAL FUELS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-2418, IDAHO CODE, TO REMOVE A CODE REFERENCE; AMENDING SECTION 63-2423, IDAHO CODE, TO REMOVE REFERENCE TO A VALID GASEOUS SPECIAL FUELS PERMIT; AND AMENDING SECTION 63-2424, IDAHO CODE, TO REMOVE CERTAIN FEES AND TO REMOVE A GASEOUS SPECIAL FUELS PERMIT.

HOUSE BILL NO. 55**BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT**

RELATING TO THE PEACE OFFICER AND DETENTION OFFICER TEMPORARY DISABILITY ACT; REPEALING SECTION 2, CHAPTER 186, LAWS OF 2012, RELATING TO A SUNSET DATE.

HOUSE BILL NO. 56**BY ENVIRONMENT, ENERGY, AND TECHNOLOGY
COMMITTEE
AN ACT**

RELATING TO PUBLIC DRINKING WATER SYSTEM LOANS; AMENDING SECTION 39-7602, IDAHO CODE, TO REVISE USE PROVISIONS RELATING TO AMOUNTS DEPOSITED INTO THE DRINKING WATER LOAN FUND AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 57**BY ENVIRONMENT, ENERGY, AND TECHNOLOGY
COMMITTEE
AN ACT**

RELATING TO THE IDAHO COMMUNITY REINVESTMENT PILOT INITIATIVE; REPEALING SECTION 4, CHAPTER 308, LAWS OF 2006, TO REMOVE A CONTINGENT SUNSET DATE; AMENDING SECTION 39-7211, IDAHO CODE, TO REVISE A PROVISION RELATING TO MONEYS IN THE IDAHO COMMUNITY REINVESTMENT PILOT INITIATIVE FUND, TO PROVIDE THAT MONEYS IN THE FUND ARE PERPETUALLY APPROPRIATED TO THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR SPECIFIED PURPOSES UNTIL CERTAIN CONDITIONS ARE MET, TO AUTHORIZE THE DEPARTMENT TO NEGOTIATE LOWER FINANCIAL ASSISTANCE AMOUNTS WITH CERTAIN PROPERTY OWNERS WHEN SPECIFIED CONDITIONS ARE MET, TO PROVIDE FOR INTEREST EARNED ON MONEYS IN THE FUND, TO REVISE AUTHORIZED MAXIMUM OVERALL FINANCIAL ASSISTANCE PROVISIONS, TO REVISE THE NUMBER OF PROJECTS THAT MAY PARTICIPATE IN THE INITIATIVE, TO PROVIDE FOR THE ESTABLISHMENT OF ANNUAL PRIORITY LISTS OF CERTAIN PROJECTS UNTIL ALL FUNDS ARE ALLOCATED, TO PROVIDE FOR ANNUAL PRIORITY LISTS OF THE FIFTEEN HIGHEST PRIORITY PROJECTS, TO PROVIDE THAT THE DEPARTMENT SHALL CONTACT CERTAIN ELIGIBLE PROPERTY OWNERS AND TO MAKE TECHNICAL CORRECTIONS; AND PROVIDING A CONTINGENT SUNSET DATE.

HOUSE BILL NO. 58**BY ENVIRONMENT, ENERGY, AND TECHNOLOGY
COMMITTEE
AN ACT**

RELATING TO WATER QUALITY; AMENDING SECTION 39-3623, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE EFFECT OF CERTAIN RULES, TO PROVIDE THAT MIXING ZONES ARE SUBJECT TO SPECIFIED LAWS AND RULES AND TO PROVIDE FOR THE DURATION OF EFFECTIVENESS OF MIXING ZONES.

[H 52](#), [H 53](#), [H 54](#), [H 55](#), [H 56](#), [H 57](#), and [H 58](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1002](#) and [S 1003](#), by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

10TH ORDER**Second Reading of Bills and Joint Resolutions**

[H 41](#), by Appropriations Committee, was read the second time by title and filed for third reading.

[H 36](#) and [H 37](#), by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

11TH ORDER
Third Reading of Bills and Joint Resolutions

H 28 - TAXES - LEVY - APPORTIONMENT

H 28 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Trujillo to open debate.

The question being, "Shall H 28 pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel(Green), Rudolph, Rusche, Shepherd, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 65.

NAYS – Cheatham, Dixon, Nate, Scott, Sims. Total – 5.
Total – 70.

Whereupon the Speaker declared that H 28 passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 29 - TAXATION EXEMPTIONS

H 29 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Chaney to open debate.

The question being, "Shall H 29 pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McMillan, Miller, Moyle, Nate, Nielsen, Nye, Packer, Pence, Perry, Raybould, Redman, Rubel(Green), Rudolph, Rusche, Scott, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 61.

NAYS – Batt, Harris, McDonald, Mendive, Monks, Palmer, Romrell, Shepherd, Sims. Total – 9.
Total – 70.

Whereupon the Speaker declared that H 29 passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

16TH ORDER
Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Friday, January 30, 2015. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:52 a.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk